

REMARKS

This application has been amended so as to place it in condition for allowance at the time of the next Official Action.

The Official Action rejects claims 1-24 under 35 U.S.C. §103(a) as unpatentable over TAMAGAWA '034 in view of YOSHINO '495. Reconsideration and withdrawal of this rejection are respectfully requested for the following reasons:

The Official Action identifies those features of the independent claims interpreted as being taught by the applied references, as well as the assertion as to why one of skill in the art would be motivated by the YOSHINO reference to modify the teachings of the TAMAGAWA reference.

Claims 2 and 15 recite that "a change of said formation index of said base paper before and after contact of a front surface of said base paper at a side on which an image recording layer of said imager recording material is formed with water at 20°C for 30 seconds is equal to or less than 10." Of the two applied references, only the YOSHINO reference makes any reference to formation index, and it does so exactly once, in the passage cited in the Official Action. The entire passage amounts to the following:

Japanese Patent Application Laid-Open No. 11-174718 discloses information recording paper that is pigment-sized on each surface at a rate of 3 to 8 g/m.² to show a finished density within a range between 0.75 and 0.90 g/cm.², a fiber orientation ratio within a range between 1.05 and 1.25, a

smoothness within a range between 50 and 120 seconds and a formation index not less than 20.

With this as the entirety of the disclosure as to formation index, the Official Action states that it would have been obvious to minimize the change of the formation index, since such would improve unevenness of color density after printing. It remains unclear to the applicant how this characteristic recited by the present claims would be rendered obvious by the applied references.

The reference discloses a range of formation index for a finished product defined only by a lower limit. Claims 2 and 15 recite a feature of how the parameter of formation index changes when an identified face of the base paper is subjected to water for a specified period of time. Not only does the reference fail to teach the numerical values used by the rejected claims to define this feature, it more generally fails to offer any indication that this is a characteristic that anyone, skilled in the art or otherwise, has bothered to measure before. In this case, the present invention is so far removed from the teachings of the prior art that the prior art does not even provide a basis for appreciating the invention.

For at least this reason, applicant suggests that the rejection of the subject matter of claims 2 and 15 cannot be maintained. Such subject matter is now incorporated into independent claims 1 and 14. The amendment to such independent

claims has been made by incorporating the content of claims 2 and 15, respectively, in their entirety. Claims 1 and 14 as amended therefore have the same coverage as original claims 2 and 15.

The treatment of claims 4 and 17 is similar. Each recites that a change of the density of the base paper before and after contact of the front surface of the base paper with water at 20°C for 30 seconds is equal to or less than 0.05 g/m³. As is the case with original claims 2 and 15 discussed above, these claims recite a characteristic defined in terms of the change in density of the base paper after an identified side of such paper is subjected to water under specifically defined conditions.

As to claims 4 and 17, the Official Action states that "it would have been obvious to optimize density of the base paper, since such would improve retention of color after printing." While it is no doubt true that density, by itself, can be optimized for the sake of color retention, that has nothing to do with the subject matter of the claims. The claims recite a change in density that takes place as a result of subjecting the base paper to water under specified conditions.

As with the characteristic of claims 2 and 15, the references not only fail to teach the numerically defined feature of original claims 4 and 17, they more generally fail to provide any acknowledgement that this is a characteristic that one might measure at all.

Each of claims 4 and 17 is now in independent form, incorporating the features of the claims from and through which it originally depended.

In light of the amendment provided above and the arguments offered in support thereof, applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.

Moreover, each of the present amendments to the claims either incorporates into an independent claim the subject matter of a claim that depended therefrom, or converts a dependent claim into independent form by incorporating the features of claims from and through which such claim originally depended. In so doing, applicant has taken no step that necessitates further search and/or consideration. For at least this reason, applicant respectfully requests that if the next Official Action includes the rejection of one or more claims, such rejection should be non-final.

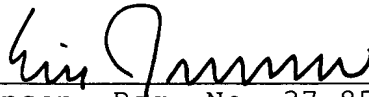
If the Examiner has any questions or requires further clarification of any of the above points, the Examiner may contact the undersigned attorney so that this application may continue to be expeditiously advanced.

Please charge the fee of \$200 for the one extra independent claim added herewith to Deposit Account No. 25-0120.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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